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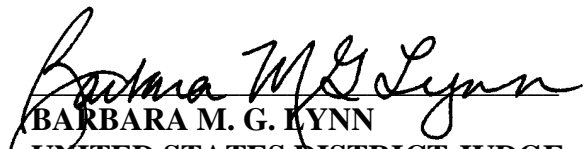
On July 1, 2011, Premier moved to withdraw the reference, alleging that since it has a right to jury trial and does not consent to the bankruptcy court conducting such a trial, the suit should be before this Court. On July 5, 2011, the Trustee informed the bankruptcy court it did not oppose the motion. The parties also agreed that the bankruptcy court should keep the adversary proceeding for pretrial purposes and refer the matter to this Court when the matter is ready for trial.

Under 28 U.S.C. § 157(d), the “district court may withdraw, in whole or in part, any case or proceeding referred under this section, on its own motion or on timely motion of any party, for cause shown.” Where, as here, a jury trial right exists and the defendant does not consent to the bankruptcy court conducting the trial, a withdrawal of the reference is required. 28 U.S.C. § 157(e). However, even if a jury trial may constitute cause for withdrawal, this Court may decline to withdraw the reference until the case is ready for trial. *See In re Hardesty*, 190 B.R. 653, 656 (D. Kan. 1995); *In re Healthcentral.com*, 504 F.3d 775, 788 (9th Cir. 2007).

Based on the foregoing, the Motion is GRANTED, although the effective date of this Order is deferred. Upon certification by the bankruptcy court that the case is ready for trial, the Court will withdraw the reference of this adversary proceeding.

**SO ORDERED.**

July 25, 2011.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS